

Exhibit 1

Re: Huddleston

From: Ty Clevenger (tyclevenger@yahoo.com)

To: andrea.parker@usdoj.gov

Date: Saturday, March 11, 2023 at 03:07 PM EST

Andrea,

I came across additional information about Lync in a 2018 report from the Office of Inspector General. I've included a URL for that report below. According to the OIG report, the FBI started saving all text and instant messaging in Lync in 2015 in order to comply with criminal discovery requirements. The Lync system is summarized on page 144. According to page 395, there are at least two types of Lync systems: FBINet and SCINet.

Although agents were warned not to use Lync for "substantive communications," fn. 208, pp. 413-414, it is now clear that agents routinely engaged in substantive communications using Lync. That would explain the revelations in my previous emails (below), as well as the attached document filed in USA v. Michael Flynn.

Clearly, the FBI has been required to search Lync for purposes of discovery compliance. That is why I have asked (1) whether Lync records are indexed to CRS and (2) whether the Lync system was searched for records about Seth Rich, CrowdStrike, etc. Given the sheer volume of embarrassing communications uncovered by OIG investigators on Lync, as well as the fact that FBI personnel assumed that none of their communications were preserved, it is only reasonable to conclude that FBI were not, at least prior to 2018, indexing their Lync communications to CRS.

Please ask the FBI to clarify whether Lync records were searched, and whether FBI policy excludes Lync records from FOIA searches. Thank you.

Ty

<https://www.justice.gov/file/1071991/download>

On Friday, March 10, 2023 at 01:46:57 PM EST, Ty Clevenger <tyclevenger@yahoo.com> wrote:

Andrea,

Someone just made me aware of the following, namely that "Lync" was a Microsoft chat tool that was able to reside on its own server. Per the chronology below, Lync was replaced by Skype for Business, and my source said Skype has now been replaced almost universally with Teams (at least in the business world). If the FBI is

using any of these systems, we would like to know whether they were searched for records about Seth Rich, CrowdStrike, etc. Thanks.

Ty

Versions

- 2018 - Skype for Business Server 2019 (due end of 2018)
- 2015 - Skype for Business Server 2015
- 2012 - Lync Server 2013 (RTM 11 October 2012)
- 2010 - Lync Server 2010
- 2009 - Office Communications Server 2007 R2
- 2007 - Office Communications Server 2007
- 2006 - Live Communications Server 2005 with SP1
- 2005 - Live Communications Server 2005, codenamed Vienna
- 2003 - Live Communications Server 2003

https://en.wikipedia.org/wiki/Skype_for_Business_Server

----- Forwarded Message -----

From: Ty Clevenger <tyclevenger@yahoo.com>
To: Parker, Andrea (USATXE) <andrea.parker@usdoj.gov>
Sent: Friday, March 10, 2023 at 12:49:13 PM EST
Subject: Huddleston

Andrea,

Per the news articles below as well as the attached court document, the FBI has acknowledged the existence of "Lync," an internal messaging system for FBI personnel. We would like to know whether the FBI searched Lync for records about Seth Rich, CrowdStrike, etc. I realize your client may choose not to answer, but please relay the request. Many thanks.

Ty

<https://www.newsweek.com/proud-boys-attorney-finds-hidden-fbi-messages-during-jan-6-trial-1786773>

<https://www.cnn.com/2023/03/09/politics/fbi-proud-boys-trial/index.html>



2020.09.24 Mike Flynn filing about Lync messages.pdf
163.7kB